

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CHRISTINE CONNELLY AND
WILLIAM CONNELLY, H/W
1205 Pennsylvania Avenue
Croydon, PA 19021

Plaintiffs

v.

SIX FLAGS GREAT ADVENTURE, LLC.
1 Six Flags Boulevard
Jackson, NJ 08527

and

SIX FLAGS THEME PARKS, INC.
924 East Avenue J
Grand Prairie, TX 75050

and

SIX FLAGS SERVICES, INC.
1 Six Flags Boulevard
Jackson, NJ 08527

and

SIX FLAGS ENTERTAINMENT
CORPORATION
924 East Avenue J
Grand Prairie, TX 75050

and

SIX FLAGS, INC.
1540 Broadway, 15th Floor
New York, NY 10036

Defendants

: NO.

: **COMPLAINT AND**
: **ARBITRATION DEMAND**

Plaintiffs, Christine Connelly and William Connelly, husband and wife, by and through their undersigned attorney, hereby brings a civil action for damages, and in support thereof aver as follows:

1. Plaintiffs, Christine Connelly and William Connelly, are wife and husband residing at 1205 Pennsylvania Avenue, Pennsylvania and at all times material hereto are citizens of the Commonwealth of Pennsylvania.

2. Defendant, Six Flags Great Adventure, LLC. is a limited liability company organized and existing under the laws of the State of New Jersey and having its principal place of business located at 1 Six Flags Boulevard, Jackson, New Jersey.
3. Defendant, Six Flags Theme Parks, Inc. is a corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 924 East Avenue J, Grand Prairie, Texas.
4. Defendant, Six Flags Services, Inc. is a corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 1 Six Flags Boulevard, Jackson, New Jersey.
5. Defendant, Six Flags Entertainment Corporation, is a corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 924 East Avenue J, Grand Prairie, Texas.
6. Defendant, Six Flags, Inc., is a corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 1540 Broadway, 15th Floor, New York, New York.
7. Defendants, Six Flags Great Adventure, LLC., Six Flags Theme Park, Inc., Six Flags Services, Inc., Six Flags Entertainment Corporation and Six Flags, Inc. will hereinafter be collectively referred to as Defendant "Six Flags".
8. The Court has original jurisdiction over this matter based on 28 U.S.C. § 1332, relating to the diversity of citizenship of the parties and the amount in controversy exceeds the sum of Seventy Five Thousand Dollars (\$75,000.00).
9. At all times relevant, Defendants were responsible for the maintenance, supervision and control of the facility located in Jackson, New Jersey. Moreover, Defendants,

through their agents, servants, workmen and/or employees were responsible for the maintenance and control of the Congo Rapids attraction located on their business premises.

10. On or about June 19, 2009, Plaintiff, Christine Connelly, was a business invitee of the Defendants attempting to board the boat for the Congo Rapids attraction within Six Flags Great Adventure, when she was caused to fall as a result of the unintended, extraordinary jerking and jolting of that conveyance, which Defendants improperly and negligently installed, operated, maintained and/or repaired on the premises at Six Flags Great Adventure for sometime prior to Plaintiff's fall.
11. As a result of the aforesaid incident, Plaintiff suffered serious and permanent injuries which are hereinafter described.
12. The negligence, carelessness and recklessness of the Defendants consisted of but is not limited to the following:
 - (a) failing to provide a sufficient entry point for the boats used in the attraction;
 - (b) failing to comply with accepted practices for commercial premises in not having made a proper inspection of the Congo Rapids attraction including any mechanisms or instrumentalities used in the stopping of the boats and/or boarding of boats by patrons such as Plaintiff thereby allowing an unexpected and hazardous movement to occur where business invitees would be entering into the boats used in the attraction;
 - (c) failing to comply with acceptable practices for commercial properties by not warning the public of the hazard with proper signs;
 - (d) failing to remove the safety hazard;

- (e) failing to maintain the attraction free of safety hazards;
- (f) violating the applicable standards and regulations resulting in the dangerous conditions to business invitees;
- (g) permitting or allowing a dangerous condition to exist in and upon their premises after they knew or should have known of said condition;
- (h) failing to give plaintiff proper and due notice of the dangerous condition in the premises under their ownership, care and supervision;
- (i) failing to give Plaintiff proper and adequate protection to which she was entitled to as a business invitee;
- (j) failing to inspect and/or negligently inspecting the area and/or instrumentalities which caused Plaintiff's injury.

13. Defendants had actual and/or constructive notice of the dangerous condition existing within its premises prior to the aforesaid accident, when Plaintiff was seriously injured.

COUNT I

CHRISTINE CONNELLY V. DEFENDANTS

14. Plaintiff hereby incorporates by reference paragraphs 1 through 13 as though the same were more fully set forth at length herein.
15. As a direct result of the aforesaid negligence and carelessness of the Defendants, Plaintiff suffered severe and painful injuries, has been and in the future will be caused to undergo great pain and suffering, has been and in the future will be prohibited from pursuing her usual duties and occupation, and has been and in the future will be caused to expend large and diverse sums of money for medical care and attention in an effort to cure herself of said injuries.

WHEREFORE, Plaintiff, CHRISTINE CONNELLY, demands judgment against the Defendants, SIX FLAGS GREAT ADVENTURE, LLC., SIX FLAGS THEME PARKS, INC., SIX FLAGS SERVICES, INC., SIX FLAGS ENTERTAINMENT CORPORATION and SIX FLAGS, INC., in an amount in excess of Seventy-Five Thousand (\$75,000.00) Dollars, plus interest, costs of suit and delay damages.

COUNT II - LOSS OF CONSORTIUM

WILLIAM CONNELLY v. DEFENDANTS

16. Plaintiff, William Connelly, hereby incorporates by reference Paragraphs 1 through 15 as though same were more fully set forth at length herein.
17. As a direct result of the negligence of Defendants, as aforementioned, and of the injuries to his wife as a result thereof, Plaintiff, William Connelly, has been obliged to expend various sums of money for medical attention and care and for medicines in an attempt to cure his wife's injuries and he will be obliged to expend additional sums of money for the same purpose in the future.
18. As a further result of the foregoing, Plaintiff, William Connelly, has been deprived of his wife's assistance, comfort, companionship, services and consortium and he will continue to be so deprived for an indefinite time into the future.

WHEREFORE, Plaintiff, WILLIAM CONNELLY, demands judgment against the Defendants, SIX FLAGS GREAT ADVENTURE, LLC., SIX FLAGS THEME PARKS, INC., SIX FLAGS SERVICES, INC., SIX FLAGS ENTERTAINMENT CORPORATION and SIX FLAGS, INC., in an amount in excess of Seventy-Five Thousand (\$75,000.00) Dollars, plus interest and costs of suit.

DESIGNATION OF TRIAL COUNSEL

It is hereby certified that J. Davy Yockey, as attorney for Plaintiffs, is designated trial counsel on behalf of the law firm of Flager & Yockey.

FLAGER & YOCKEY, P.C.

By:



J. Davy Yockey

Attorney for Plaintiffs

1210 Northbrook Drive

Suite 280

Trevose, PA 19053

(215) 953-5200